IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO.2941 OF 2005

Maharashtra Rajya Suraksha Rakshak and General Kamgar Union — Petitioner

versus

The Security Guards Board for Greater Mumbai and Thane Districts — Respondents

Ms.Rekha Pendharkar i/by Ms.Vaishali Bhilare for petitioner.

Ms.Lata Desai for respondent no.1.

Ms.M.H.Doshi for respondents 2 to 12.

Shri P.M.Havnur for respondent no.14.

CORAM : KSHITIJ R. VYAS, C.J. &
S.C.DHARMADHIKARI, J.

DATE : 28th February 2006

PC :

1. Rule. Respondents waive service. Heard forthwith.

2. Petition filed by the petitioner seeks relief in favour of the Security Guards whose names are shown at Exhibit 'A', in accordance with the provisions of Maharashtra Private Security Guards

(Regulation of Employment and Welfare) Act, 1981 and the Scheme framed thereunder. Different Benches of this Court have been passing orders in such matters. One such order has been passed in Writ Petition (Stamp) No.49397 of 2002. Considering the said order, the following directions :-

A) The statement on behalf of learned counsel for the petitioner is accepted that they would make appropriate application for getting registration with the Board. Such an application will be made within ten days from today. The Board to consider the same and take an appropriate decision in accordance with law keeping in mind the provisions of the Act and the Scheme as amended from time to time;

B) The respondent no.2 is also directed to apply for registration as required by law. Such an application should be made within ten days from today. On such application being made, the Board to take an appropriate decision thereon in accordance with law, and thereafter the

Board to follow the provisions of the Act and the Scheme by supplying Security Guards;

C) It is needless to say that as far as possible while allotting the services of the Security Guards, the Board will keep in mind the fact that the Security Guards whose names are shown at Exhibit ‘A’ were working with the second respondent. The Board to try to accommodate them as far as possible;

D) The order of status-quo, earlier passed, will continue till the disposal of the applications by the Board;

E) It is made clear that it is always open to the employer to directly engage the Guards in his employment.

2. Rule is made absolute in the above terms. No order as to costs.

(CHIEF JUSTICE)

(S.C.DHARMADHIKARI, J.)